



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

JOHN L. JAMES
P.O. BOX 2025
MARIETTA GA 30061-2025

COPY MAILED

NOV 15 2007

OFFICE OF PETITIONS

In re Application of :
Dennis E. Parham :
Application No.: 10/705,666 : ON PETITION
Filing Date: November 10, 2003 :
Attorney Docket No. 10/705,666 :

This is a decision on the "Petition for Filing by Assignee" filed June 11, 2007, which will be treated as a petition under 37 CFR 1.183 to waive the requirements of 37 CFR 1.175.

The petition is **dismissed**.

Petitioner requests that the supplemental reissue declaration be accepted without the signature of inventor Dennis E. Parham, as inventor Parham is refusing to sign the declaration. It is noted, that in this case, 37 CFR 1.175 requires the filing of a supplemental reissue declaration signed by all named inventors, yet petitioner has demonstrated that inventor Parham refuses to sign the supplemental reissue declaration. In such a case, Section 1414.01 of the *Manual of Patent Examining Procedure* (MPEP) provides that:

[if] a joint inventor refuses or cannot be found or reached to sign a supplemental oath/declaration, a supplemental oath/declaration listing all the inventors, and signed by all the available inventors may be filed provided it is accompanied by a petition under 37 CFR 1.183 along with the petition fee, requesting waiver of the signature requirement of the non-signing inventor.

Accordingly, the instant petition will be treated as petition under 37 CFR 1.183 to waive the requirement of 37 CFR 1.175 so as to accept the supplemental reissue declaration filed April 23, 2007, without the signature of inventor Parham. Review of the merits of petition indicates that the petition is grantable, however; the petition must be dismissed because the fee for the petition under 37 CFR 1.182 did not accompany the petition. The amount of \$200.00 is noted as having been received on June 11, 2007, however, the fee for a petition under 37 CFR 1.183 is \$400.00. The remainder of the petition fee or an authorization to charge a deposit account for the same must accompany the renewed petition.

Further correspondence with respect to this matter should be addressed as follows:

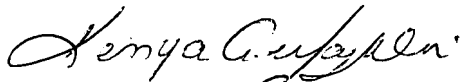
By mail: Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In re Application of Dennis E. Parham
10/705,666

Page 2

By FAX: (571) 273-8300
Attn: Office of Petitions

Telephone inquiries regarding this matter should be directed to the undersigned at (571) 272-3222.

A handwritten signature in cursive script, reading "Kenya A. McLaughlin".

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions